

REMARKS

Please consider the following comments. Claims 8-15 are pending. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claim 15 under 35 U.S.C. § 112, second paragraph, for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, the Examiner asserts that the limitation of “switching the target search area from the first search area to a second search area when the search area-designating information item is determined to not identify the target search area, the second search area being associated with the search area-designating information item” is unclear because it already recites that the second “search area-designating information item is determined to not identify the target area.”

Applicant respectfully traverses this rejection.

Nothing in claim 15 recites that a second “search area-designating information item is determined to not identify the target area.” In fact, claim 15 does not recite a second search area-designating information item at all.

Claim 15 recites a plurality of search areas, and a plurality of stored search area-designating items, each identifying one of the plurality of search areas. The method claim then identifies two search areas (a first search area and a second search area) selected from the plurality of search areas, and one search area-designating item. For ease of understanding, Applicant proposes to amend claim 15 to designate this search area-designating item as a received search area-designating item.

The recited method determines whether the received search area-designating information item identifies the target search area (which is the first search area at this point). If this is not the case, the method then switches the target search area from the first search area to a second search area. Claim 15 then specifically recites that the second search area is “associated with the search area-designating information item.” Nowhere does claim 15 ever recite a second search area-designating information item, or that such an item does not identify a target search area.

However, in an effort to better recite this claim, Applicant proposes to amend claim 15 to recite “determining whether the received search area-designating information item identifies the first search area,” and “switching the target search area from the first search area to a second search area when the received search area-designating information item is determined to not identify the first search area.” This makes it clear that the method switches to the second search areas only when it is determined that the received search area-designating information item does not designate the first search area.

Therefore, there is nothing unclear about what is recited and claim 15 complies fully with the provisions of 35 U.S.C. § 112, second paragraph.

While the Examiner has made a comment that the recited limitation only requires a well-known scanning from one area to another area to search for a match, Applicant observes that no art rejection is pending, only a formal rejection under 35 U.S.C. § 112, second paragraph. Since Applicant has addressed that rejection, there is no valid rejection of record remaining.

Claim Amendments

The amendments to claim 15 noted above are being made solely to make the claims more clear, and are not in response to an art rejection. As a result, these amendments are not to be construed as a surrender of any subject matter between the original claims and the present

claims; rather this is merely an attempt at providing one or more definitions of what the applicant believes to be suitable patent protection. The present claims provide the intended scope of protection that the applicant is seeking for this application. Therefore, no estoppel should be presumed, and the applicant's claims are intended to include a scope of protection under the Doctrine of Equivalents.

Allowable Subject Matter

The Examiner has indicated that claims 8-14 are patentable. Applicant respectfully acknowledges the patent ability of these claims.

Conclusion

For all the reasons advanced above, the applicant respectfully submits that pending claims 8-15 are allowable.

In view of the foregoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the Examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



Brian C. Altmiller
Reg. No. 37,271

Posz Law Group, PLC
12040 South Lakes Drive, Suite 101
Reston, VA 20191
Phone 703-707-9110
Fax 703-707-9112
Customer No. 23400